



PATENT

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING  
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PATENTS, P.O. Box 1450, ALEXANDRIA, VA 22313-1450, ON

June 11, 2007  
Joe Wolfe 6-11-07  
SIGNATURE Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Michael J. O'Donnell  
et al.

Serial No. : 10/540,695

Filing Date : June 29, 2005

For : BURNER

Group Art Unit : 3749

Attorney Docket No. : 16-589P/US - 3768

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

1. Pursuant to 37 CFR \$1.97 and \$1.98, and in compliance with CFR \$1.56, the Office's attention is directed to the patents, pending applications, publications and other information listed on the attached PTO-1449. Copies of listed foreign patents and other listed publications are enclosed. No copies of the listed U.S. patents and U.S. patent applications are enclosed. Applicant(s) make no admission that the enclosed documents are prior art to the present invention.
2. Regarding each listed document that is not in the English language, an English-language translation accompanies

this Statement as indicated on the attached PTO-1449 or a corresponding U.S. Patent is enclosed or a concise explanation of the relevance of the document is set forth on an attached sheet, or a copy of an English-language search report is attached.

3. Pursuant to 37 CFR \$1.97(b) this Statement is being filed (one must be checked):

- (a) ☐ Within 3 months of the filing date or date of entry into the National Stage.
- (b) ☒ Before the mailing date of a first Office Action on the merits.
- (c) ☐ After the period set forth in 37 CFR \$1.97(b) but before the mailing date of either a final action or a notice of allowance, or an action that otherwise closes prosecution in the application.
  - 1) ☐ A certification is given below,
  - 2) ☐ Enclosed is a check covering the fee (\$180.00) set forth in \$1.17(p) for consideration of this Statement, or
  - 3) ☐ Charge the fee set forth in 37 CFR \$1.17(p) to Deposit Account No. 20-0090.
- (d) ☐ After the mailing date of either a final action or a notice of allowance, but before payment of the issue fee. The required certification and fee is indicated below.
  - 1) ☐ Enclosed is a check covering the fee set forth in 37 CFR \$1.17(p) \$180, or

- 2) ☐ Charge the fee set forth in  
37 CFR \$1.17(p) to Deposit  
Account No. 20-0090.

4. Certification (if applicable):

- (a) ☐ The undersigned hereby certifies that each item of information contained in this Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this Statement.
- (b) ☐ The undersigned hereby certifies that no item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the undersigned's knowledge after making reasonable inquiry no item of information contained in the Statement was known to any individual designated in 37 CFR \$1.56(c) more than 3 months prior to the filing of this Statement.

5. The Commissioner is hereby authorized to charge any additional fees, fees underpaid, or credit any overpayment with regard to this Statement to Deposit Account No. 20-0090.

6. Concise Explanation (if needed):

- (1) ☐ Below is a Concise Statement of Relevance of enclosed non-English language document(s).

**U.S. PATENTS**

|                           |                             |
|---------------------------|-----------------------------|
| U.S. Patent No. 2,336,816 | U.S. Patent No. 4,608,012   |
| U.S. Patent No. 3,122,197 | U.S. Patent No. 4,924,816   |
| U.S. Patent No. 3,084,736 | U.S. Patent No. 4,927,355   |
| U.S. Patent No. 3,129,749 | U.S. Patent No. 5,240,411   |
| U.S. Patent No. 3,161,227 | U.S. Patent No. 5,317,992   |
| U.S. Patent No. 3,169,572 | U.S. Patent No. 5,340,305   |
| U.S. Patent No. 3,185,204 | U.S. Patent No. 5,355,841   |
| U.S. Patent No. 3,245,458 | U.S. Patent No. 5,433,598   |
| U.S. Patent No. 3,353,583 | U.S. Patent No. 5,435,716   |
| U.S. Patent No. 3,360,028 | U.S. Patent No. 5,511,516   |
| U.S. Patent No. 3,363,662 | U.S. Patent No. 5,520,536   |
| U.S. Patent No. 3,401,000 | U.S. Patent No. 5,575,273   |
| U.S. Patent No. 3,492,972 | U.S. Patent No. 5,632,236   |
| U.S. Patent No. 3,681,002 | U.S. Patent No. 5,791,298   |
| U.S. Patent No. 3,726,633 | U.S. Patent No. 5,875,739   |
| U.S. Patent No. 3,733,170 | U.S. Patent No. 5,915,954   |
| U.S. Patent No. 3,814,573 | U.S. Patent No. 5,984,663   |
| U.S. Patent No. 3,847,536 | U.S. Patent No. 6,019,069   |
| U.S. Patent No. 3,857,670 | U.S. Patent No. 6,435,140B1 |
| U.S. Patent No. 4,510,890 | U.S. Patent No. 6,446,581B1 |
| U.S. Patent No. 4,519,770 |                             |

**FOREIGN PATENTS**

Belgium BE627548A  
France FR1577719A  
Great Britain GB2224822A  
Great Britain GB741660A  
Japan JP5246536A  
Japan JP57164213A  
Japan JP60175913A

**MISCELLANEOUS DOCUMENTS**

"LOW COST SELF-CLEANING RESIDENTIAL GAS RANGE OVEN"  
Gas Research Institute Final Report  
January 1984-June 1986

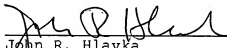
"LITERATURE REVIEW OF INFRA-RED ENERGY PRODUCED WITH GAS BURNERS" by D. W. DeWerth - American Gas Association Laboratories

"A STUDY OF INFRA-RED ENERGY GENERATED BY RADIANT GAS BURNERS" by D. W. DeWerth - American Gas Association Laboratories

"SOME NEW OR UNUSUAL METHODS FOR HEATING WATER WITH GAS" by J. C Griffiths - American Gas Association Laboratories

Copies of the foreign patents and publications are enclosed. The foreign patents were uncovered in patent searches conducted by the Applicants. The Applicants have not obtained translations of the non-English foreign patents, but it is apparent from the drawings that these patents disclose burners.

Respectfully submitted,

  
John R. Hlavka  
Reg. No. 29,076

TAROLLI, SUNDHEIM, COVELL  
& TUMMINO L.L.P.

Phone: (216) 621-2234

Fax: (216) 621-4072

**Customer No.: 26294**

FORM PTO-1449  
(REV. 6-89)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTY DOCKET NO.: 16-589P/US - 3768

SERIAL NO.  
10/540,695INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

APPLICANT(S): Michael J. O'Donnell et al.

FILING DATE: June 29, 2005

GROUP: 3749

## U.S. PATENT DOCUMENTS

|  |  |   |   |   |   |   |   |   |  | DOCUMENT NUMBER | DATE                | NAME | CLASS | SUB CLASS | FILING DATE<br>IF<br>APPROPRIATE |
|--|--|---|---|---|---|---|---|---|--|-----------------|---------------------|------|-------|-----------|----------------------------------|
|  |  | 2 | 3 | 3 | 6 | 8 | 1 | 6 |  | 12/14/43        | Thompson            |      |       |           |                                  |
|  |  | 3 | 1 | 2 | 2 | 1 | 9 | 7 |  | 2/25/64         | Saponara<br>et al.  |      |       |           |                                  |
|  |  | 3 | 6 | 8 | 4 | 7 | 3 | 6 |  | 4/9/63          | Mentel et al.       |      |       |           |                                  |
|  |  | 3 | 1 | 2 | 9 | 7 | 4 | 6 |  | 4/21/64         | Hönger              |      |       |           |                                  |
|  |  | 3 | 1 | 6 | 1 | 2 | 2 | 7 |  | 12/15/64        | Goss et al.         |      |       |           |                                  |
|  |  | 3 | 1 | 6 | 9 | 5 | 7 | 2 |  | 2/16/65         | Constance<br>et al. |      |       |           |                                  |
|  |  | 3 | 1 | 8 | 5 | 2 | 0 | 4 |  | 5/25/65         | Loeb et al.         |      |       |           |                                  |
|  |  | 3 | 2 | 4 | 5 | 4 | 5 | 8 |  | 4/12/66         | Patrick et al.      |      |       |           |                                  |
|  |  | 3 | 3 | 5 | 3 | 5 | 8 | 3 |  | 11/21/67        | Silhavy et al.      |      |       |           |                                  |
|  |  | 3 | 3 | 6 | 0 | 0 | 2 | 8 |  | 12/26/67        | Saponara<br>et al.  |      |       |           |                                  |
|  |  | 3 | 3 | 6 | 3 | 6 | 6 | 2 |  | 1/16/68         | Curtis et al.       |      |       |           |                                  |
|  |  | 3 | 4 | 0 | 1 | 0 | 0 | 0 |  | 9/10/68         | Spaonara<br>et al.  |      |       |           |                                  |
|  |  | 3 | 4 | 9 | 2 | 9 | 7 | 2 |  | 2/3/70          | McLaren             |      |       |           |                                  |
|  |  | 3 | 6 | 8 | 1 | 0 | 0 | 2 |  | 8/1/72          | Weller et al.       |      |       |           |                                  |
|  |  | 3 | 7 | 2 | 6 | 6 | 3 | 3 |  | 4/10/73         | Vasilakis et al.    |      |       |           |                                  |
|  |  | 3 | 7 | 3 | 3 | 1 | 7 | 0 |  | 5/15/73         | Kobayashi<br>et al. |      |       |           |                                  |
|  |  | 3 | 8 | 1 | 4 | 5 | 7 | 3 |  | 6/4/74          | Karlovetz           |      |       |           |                                  |
|  |  | 3 | 8 | 4 | 7 | 5 | 3 | 6 |  | 11/12/74        | Lepage              |      |       |           |                                  |
|  |  | 3 | 8 | 5 | 7 | 6 | 7 | 0 |  | 12/31/74        | Karlovetz<br>et al. |      |       |           |                                  |
|  |  | 4 | 5 | 1 | 0 | 8 | 9 | 0 |  | 4/16/85         | Cowan               |      |       |           |                                  |

EXAMINER /Avinash Savani/

DATE CONSIDERED 11/18/2008 /A.S./

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP §609;  
 Draw line through citation if not in conformance and not considered. Include copy of this form with next  
 communication to the patent applicants' attorney.

FORM PTO-1449 U.S. DEPARTMENT OF  
COMMERCE PATENT AND TRADEMARK  
(REV. 6-99) OFFICE

ATTY DOCKET NO.: 16-589P/US - 3768

SERIAL NO. 10/540,695

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

APPLICANT(S): Michael J. O'Donnell et al.

(Use several sheets if necessary)

FILING DATE: June 29, 2005

GROUP: 3749

**U.S. PATENT DOCUMENTS**

| EXAMINER<br>INITIAL | DOCUMENT NUMBER |   |   |   |   |   |      | DATE     | NAME                 | CLASS | SUB CLASS | FILING DATE<br>IF<br>APPROPRIATE |
|---------------------|-----------------|---|---|---|---|---|------|----------|----------------------|-------|-----------|----------------------------------|
|                     | 4               | 5 | 1 | 9 | 7 | 7 | 0    | 5/28/85  | Kesseling<br>et al.  |       |           |                                  |
|                     | 4               | 6 | 0 | 8 | 0 | 1 | 2    | 8/26/86  | Cooper               |       |           |                                  |
|                     | 4               | 9 | 2 | 4 | 8 | 1 | 6    | 5/15/90  | Moore, Jr.<br>et al. |       |           |                                  |
|                     | 4               | 9 | 2 | 7 | 3 | 5 | 5    | 5/22/90  | Haire et al.         |       |           |                                  |
|                     | 5               | 2 | 4 | 0 | 4 | 1 | 1    | 8/31/93  | Abalos               |       |           |                                  |
|                     | 5               | 3 | 1 | 7 | 9 | 9 | 2    | 6/7/94   | Joyce                |       |           |                                  |
|                     | 5               | 3 | 4 | 0 | 3 | 0 | 5    | 8/23/94  | Joyce                |       |           |                                  |
|                     | 5               | 3 | 5 | 5 | 8 | 4 | 1    | 10/18/94 | Moore, Jr.<br>et al. |       |           |                                  |
|                     | 5               | 4 | 3 | 3 | 5 | 9 | 8    | 7/18/95  | Joyce                |       |           |                                  |
|                     | 5               | 4 | 3 | 5 | 7 | 1 | 6    | 7/25/95  | Joyce                |       |           |                                  |
|                     | 5               | 5 | 1 | 1 | 5 | 1 | 6    | 4/30/96  | Moore, Jr.<br>et al. |       |           |                                  |
|                     | 5               | 5 | 2 | 0 | 5 | 3 | 6    | 5/28/96  | Rodgers et al.       |       |           |                                  |
|                     | 5               | 5 | 7 | 5 | 2 | 7 | 3    | 11/19/96 | Moore, Jr.           |       |           |                                  |
|                     | 5               | 6 | 3 | 2 | 2 | 3 | 6    | 5/27/97  | Joyce                |       |           |                                  |
|                     | 5               | 7 | 9 | 1 | 2 | 9 | 8    | 8/11/98  | Rodgers              |       |           |                                  |
|                     | 5               | 8 | 7 | 5 | 7 | 3 | 9    | 3/2/99   | Joyce                |       |           |                                  |
|                     | 5               | 9 | 1 | 5 | 9 | 5 | 4    | 6/29/99  | Rodgers              |       |           |                                  |
|                     | 5               | 9 | 8 | 4 | 6 | 6 | 3    | 11/16/99 | Joyce                |       |           |                                  |
|                     | 6               | 0 | 1 | 9 | 0 | 6 | 9    | 2/1/00   | Joyce                |       |           |                                  |
|                     | 6               | 4 | 3 | 5 | 1 | 4 | 0 B1 | 4/16/85  | Cowan                |       |           |                                  |

EXAMINER

/Avinash Savani/

DATE CONSIDERED

11/18/2008

/A.S./

**EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP §609;  
Draw line through citation if not in conformance and not considered. Include copy of this form with next  
communication to the patent applicants' attorney.

|  |  |  |                                 |
|--|--|--|---------------------------------|
| <b>FORM PTO-1449</b><br>(REV. 6-89)  | <b>U.S. DEPARTMENT OF COMMERCE</b><br><b>PATENT AND TRADEMARK OFFICE</b> | <b>ATTY DOCKET NO.:</b> 16-589P/US - 3768        | <b>SERIAL NO.</b><br>10/540,695 |
| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br><i>(Use several sheets if necessary)</i> |  | <b>APPLICANT(S):</b> Michael J. O'Donnell et al. |                                 |
|  |  | <b>FILING DATE:</b> June 29, 2005                | <b>GROUP:</b> 3749              |

| U.S. PATENT DOCUMENTS |                 |   |   |   |   |   |   |    |          |                |       |           |                                  |  |
|-----------------------|-----------------|---|---|---|---|---|---|----|----------|----------------|-------|-----------|----------------------------------|--|
| EXAMINER<br>INITIAL   | DOCUMENT NUMBER |   |   |   |   |   |   |    | DATE     | NAME           | CLASS | SUB CLASS | FILING DATE<br>IF<br>APPROPRIATE |  |
|                       | 6               | 4 | 4 | 6 | 5 | 8 | 1 | B1 | 10/10/02 | Carbone et al. |       |           |                                  |  |
|                       |                 |   |   |   |   |   |   |    |          |                |       |           |                                  |  |

| FOREIGN PATENT DOCUMENTS |   |   |   |   |   |   |   |   |      |               |       |           |             |    |  |
|--------------------------|---|---|---|---|---|---|---|---|------|---------------|-------|-----------|-------------|----|--|
| DOCUMENT NUMBER          |   |   |   |   |   |   |   |   | DATE | COUNTRY       | CLASS | SUB CLASS | TRANSLATION |    |  |
|                          |   |   |   |   |   |   |   |   |      |               |       |           | YES         | NO |  |
|                          | 6 | 2 | 7 | 5 | 4 | 8 |   |   |      | Belgium       |       |           |             |    |  |
|                          | 1 | 5 | 7 | 7 | 7 | 1 | 9 |   |      | France        |       |           |             |    |  |
|                          | 2 | 2 | 2 | 4 | 8 | 2 | 2 | A |      | Great Britain |       |           |             |    |  |
|                          | 7 | 4 | 1 | 6 | 6 | 0 |   |   |      | Great Britain |       |           |             |    |  |
|                          | 5 | 2 | 4 | 6 | 5 | 3 | 6 |   |      | Japan         |       |           |             |    |  |
|                          | 5 | 7 | 1 | 6 | 4 | 2 | 1 | 3 |      | Japan         |       |           |             |    |  |
|                          | 6 | 0 | 1 | 7 | 5 | 9 | 1 | 3 |      | Japan         |       |           |             |    |  |

| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) |   |
|--|---|
|  | "LOW COST SELF-CLEANING RESIDENTIAL GAS RANGE OVEN"<br>Gas Research Institute Final Report ; January 1984-June 1986           |
|  | "LITERATURE REVIEW OF INFRA-RED ENERGY PRODUCED WITH GAS BURNERS" by D. W. DeWerth -<br>American Gas Association Laboratories |
|  | "A STUDY OF INFRA-RED ENERGY GENERATED BY RADIANT GAS BURNERS" by D. W. DeWerth -<br>American Gas Association Laboratories    |
|  | "SOME NEW OR UNUSUAL METHODS FOR HEATING WATER WITH GAS" by J. C. Griffiths -<br>American Gas Association Laboratories        |

|                                  |  |
|----------------------------------|--|
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